

ORDINANCE NUMBER 23-24

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE
UNIFIED DEVELOPMENT ORDINANCE**

“TowneRun PUD”

This is a Planned Unit Development District Ordinance, to be known as the TOWNERUN PLANNED UNIT DEVELOPMENT (the “**Ordinance**”), to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “**UDO**”), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code§ 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the “**City**”) and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance (the “**UDO**”);

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “**Commission**”) considered a petition (Petition No. 2310-PUD-11), requesting an amendment to the UDO and to the Zoning Map with regard to the subject real estate more particularly described in Exhibit A attached hereto (the “**Real Estate**”);

WHEREAS, the Commission forwarded Petition No. 2310-PUD-11 to the Common Council of the City of Westfield, Hamilton County, Indiana (the “**Council**”) with a favorable recommendation (Vote: X in favor, X opposed) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code§ 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Council on XXXX X, 202X;

WHEREAS, the Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Council, meeting in regular session, that the UDO and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The UDO and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the “TowneRun Planned Unit Development District” (the “**District**”).
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the UDO, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter (“**Chapter**”) and Article (“**Article**”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO.
- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the UDO.

- 2.1 “**Health and Fitness Club**” shall mean a facility that provides physical fitness, sports and recreational classes, programs and activities (e.g. the use of weight-lifting equipment, running and aerobic exercise equipment, indoor and outdoor swimming pools, game courts); health related services (e.g. chiropractic services, physical therapy, medical services, massage services, blood draws, physical therapy, wellness and metabolic assessments); and other ancillary and supporting uses (e.g. child-care and activity services, day spas, professional offices, wellness center services, indoor and outdoor sale of food and beverages, retail sales of health and fitness related items, salons, nutritional centers and membership sales offices).

Section 3. Concept Plan. The concept plan, attached hereto as Exhibit B (the “**Concept Plan**”), is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan.

- 3.1 The District is hereby divided into four (4) areas, as depicted on the Concept Plan and labeled as the “**Health Hub**”, “**Courtyard Homes**”, “**Townhomes**” and “**Village Hub**” (individually or collectively, the “**Area**” or “**Areas**”).
- 3.2 Development of each Area shall be regulated as set forth in this Ordinance.
- 3.3 The boundaries of the Areas shall be developed in substantial compliance with the Concept Plan. The final layouts and site plans within the Areas shall be subject to the terms of this Ordinance and may vary from the depictions shown in the Concept Plan.

Commented [MS1]: The APC requested that the concept plan be reconfigured to add a commercial building along the Towne Road frontage to create more of a village feel and to break up the parking area. Revisions to the concept plan are in process. An update will be provided at the next APC meeting.

Section 4. Underlying Zoning Districts. The Underlying Zoning Districts of the Areas (collectively, the “**Underlying Zoning Districts**”) shall be as follows:

- 4.1 ~~The~~ Courtyard Homes Area shall be the SF-4: Single-Family High-Density District.
- ~~4.2~~ ~~The Underlying Zoning District of the~~ Townhomes Area shall be the SFA: Single-family Attached District.
- 4.3 The Underlying Zoning District of Health Hub and Village Hub Areas shall be the LB: Local and Neighborhood Business District (collectively, the “**Underlying Zoning Districts**”).

Section 5. Permitted Uses. The uses identified in this Section (the “**Permitted Uses**”), shall be the only uses permitted in the Areas.

- 5.1 The following use shall be permitted in the Health Hub Area: Health and Fitness Club.
- 5.2 The following uses shall be permitted in the Village Hub Area:

~~A.~~ ~~Bed and Breakfast (B&B)~~

~~B.~~A. Childcare / daycare centers

~~C.~~B. Health, fitness and exercise center

~~D.~~C. Office, General Services

~~E.~~D. Office, Medical

~~F.~~E. Office, Professional

~~G.~~F. Restaurant, Sit Down

~~H.~~G. Restaurant, Specialty

~~I.~~H. Restaurant, Takeout and Deli-style

~~J.~~I. Retail, Low Intensity

~~K.~~J. Retail, Medium Intensity

~~L.~~K. Development Amenities

- 5.3 Courtyard Homes Area: A maximum number of 35 Courtyard Homes shall be permitted. A sales trailer, model homes and recreational amenities shall also be permitted.
- 5.4 Townhomes Area: A maximum of 40 Townhome Dwellings shall be permitted. A sales trailer, model homes and recreational amenities shall also be permitted.

Section 6. General Regulations. The standards of Chapter 4 Zoning Districts, as applicable to the respective Underlying Zoning Districts, shall apply to the development of the Real Estate, except as otherwise modified below.

- 6.1 Health Hub Development Standards: The following development standards shall be applicable to any Building within the Health Hub Area:

- A. Article 4.14(E) shall not apply. There shall be no zoning setback requirements within the Health Hub Area.
- B. Article 4.14(F) shall not apply. Instead the following Maximum Building Height standards shall apply: Fifty (50) feet.
- C. Article 4.14(G) shall not apply within the District.
- D. Article 4.14(H) shall not apply. Instead, the maximum ground level square footage of a Building within the Health Hub Area shall be 65,000 SF.

6.2 Village Hub Development Standards: The following development standards shall be applicable to any Building within the Village Hub Area:

- A. Article 4.14(E) shall not apply. There shall be no zoning setback requirements within the Village Hub Area.
- B. Article 4.14(F) shall not apply. Instead the following Maximum Building Height standards shall apply: Two (2) Stories.
- C. Article 4.14(G) shall not apply within the District.

6.3 Courtyard Homes Development Standards: The following development standards shall be applicable to the homes in the Courtyard Homes Area:

Minimum Lot Area	6,000 SF
Minimum Lot Frontage	35'
Minimum Building Setback Lines	
Front Yard*	20'
Side Yard	5'
Rear Yard	20'
Minimum Building Separation	10'
Minimum Lot Width	52'
Maximum Building Height	1 ½ Stories
Minimum Living Area (Total)	1,400 SF

* Each Courtyard Home shall provide a driveway with a minimum length of twenty (20) feet as measured between the garage door and the Street right-of-way line. The distance between the front porch, front door or courtyard fence and the Street right-of-way line shall be a minimum of ten (10) feet.

6.4 Townhomes Development Standards: The following development standards shall be applicable to Buildings in the Townhomes Area:

Minimum Lot Area	No Minimum
Minimum Lot Frontage	No Minimum
Minimum Building Setback*	

Front Yard	0'
Side Yard	0'
Rear Yard	0'
Minimum Distance Between Buildings	15'
Maximum Lot Coverage	No Maximum
Minimum Lot Width	No Minimum
Maximum Dwelling Units Per Building	4
Maximum Building Height	2 Stories
Minimum Living Area (Total) Per Dwelling Unit	1,700 SF

*Each Townhome Dwelling shall provide a driveway with a minimum length of twenty (20) feet as measured between the garage door and the edge of pavement. Article 4.9(H)(2) Building Staggering Requirement shall not apply. Article 4.9(J) Project Perimeter Setback shall not apply. Buildings in the Townhomes Area shall be setback at least thirty (30') from the Towne Road right-of-way line.

Section 7. Overlay District. The Architectural Design Requirements of the State Highway 32 Overlay Zone, Article 5.3(K) of the UDO (the “**Overlay Architectural Standards**”), shall apply to the Village Hub Area and Health Hub Area, except as provided below. References ~~of to~~ the Overlay Architectural Standards to the State Highway 32 Right-of-way line shall apply to the 146th Street and Towne Road rights-of-way lines.

7.1 Health Hub Area:

A. Article 5.3(K)(2)(b) of the Overlay Architectural Standards shall not apply. Instead, the following standard shall apply: Building Façades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than one hundred and five (105') feet. Buildings less than ten thousand (10,000) square feet in Gross Floor Area shall be designed with offsets at intervals of not greater than forty (40) feet. Offsets shall extend the entire vertical plane of the Building Façade as façade elements allow and a minimum aggregate length of twenty percent (20%) of the horizontal plane of the overall Building Façade. The offset may be met with setbacks of the Building Façade and/or with architectural elements (i.e., arcades, columns, ribs, piers, and pilasters).

A. Article 5.3(K)(2)(f)(ii)(c)(1) of the Overlay Architectural Standards shall not apply. Instead, the following standard shall apply: A building with a flat roof shall have varying roof height sections, as illustrated in Figure 5.3(10) of the UDO. A varied roof section shall have a minimum roof height difference of five (5) feet from an adjacent roof section. The maximum horizontal roof line length without variation shall be seventy percent (70%) of the total length of the Building Façade's roof line.

Section 8. Development Standards. The standards of Chapter 6 Development Standards of the UDO shall apply to the development of the Real Estate, except as otherwise modified below.

8.1 Article 6.1 Accessory Buildings: Shall apply; however, Article 6.1(H)(2) Screening of Receptacles and Loading Areas shall be modified to permit enclosures to be located within an Established Front Yard along a Street other than 146th Street and Towne Road.

8.2 Article 6.3 Architectural Standards:

- A. Health Hub ~~-. Article 6.3 Architectural Standards shall not apply to the Health Hub. Instead, the Overlay Architectural Standards (incorporated in Section 7 of this Ordinance) shall be supplemented by the images attached hereto as Exhibit C (“Health Hub Character”), which are intended to conceptually illustrate the anticipated character and quality of the Building to be constructed within the Health Hub Area. —References of the Overlay Architectural Standards to the State Highway 32 right-of-way line shall apply to the 146th Street and Towne Road right-of-way lines.~~
- B. Village Hub. Article 6.3 Architectural Standards shall not apply to the Village Hub. Instead, the Overlay Architectural Standards (incorporated in Section 7 of this Ordinance) shall be supplemented by the images attached hereto as Exhibit D (“Village Hub Character”), which are intended to conceptually illustrate the anticipated character and quality of the Buildings to be constructed within the Village Hub Area. ~~—References of the Overlay Architectural Standards to the State Highway 32 right-of-way line shall apply to the 146th Street and Towne Road right-of-way lines.~~
- C. Courtyard Homes. Article 6.3 Architectural Standards shall not apply to the Courtyard Homes Area. Instead, the following standards shall apply.
 - 1. Building Elevations: Attached hereto and incorporated herein by reference as Exhibit E (“Courtyard Homes Character”) are typical building elevations, depicting the character of the homes to be constructed upon the Real Estate. The Developer proposes six (6) different floorplans with 24 elevations to be built in this community.
 - 2. Building Materials: The homes shall be comprised of any mix and combination of the following materials: brick, cast stone, stone, cultured stone, cement fiberboard, engineered wood siding (e.g., LP SmartSide), siding, glass, wood or vinyl soffits, and vinyl windows and/or equivalent or superior quality thereof for all the foregoing, except that vinyl and aluminum siding shall not be permitted.

3. Exterior Trim: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials, provided, however, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials; and provided further, that if windows have shutters, then such windows shall not require a trim wrap. Unless otherwise provided herein, windows shall have exterior trim on all four sides of each window. The minimum width of window trim boards shall be three and one-half (3½) inches wide.
 4. Minimum Overhangs: All homes shall have a minimum of twelve (12) inch framed (measured from the frame prior to the installation of exterior siding materials) roof overhangs. Lesser overhangs shall be permitted for secondary roof areas such as, but not limited to, porches and bay windows.
 5. Roof Pitches: The minimum roof pitch for the main roof of a home shall be 8/12. Gable, dormer and porch roof pitches may vary to achieve various architectural styles.
 6. Shingles. All homes shall have dimensional or architectural grade shingles.
 7. Garages and Driveways. All homes shall have at least a 2-car attached garage and meet the following requirements:
 - i. All garage doors shall have decorative designs and options for window panels. Garage doors shall be of a color and style that is consistent with the architecture of the home. The exterior color palates for each home shall be selected and designed in a manner which de-emphasizes the location and placement of the garage door.
 - ii. Each garage shall include at least two (2) coach lights.
 - iii. Driveways shall be a minimum of sixteen (16) feet in width and shall be constructed of concrete, asphalt or pavers.
- D. Townhomes. Article 6.3 Architectural Standards shall not apply. Instead, the following architectural standards shall apply to the Townhomes Area:
1. Building Elevations: Attached hereto and incorporated herein by reference as Exhibit F ("**Townhomes Character**") are typical building elevations, depicting the character of the homes to be constructed upon the Real Estate. The Developer proposes ten (10) Buildings, each containing four (4) Dwellings. The floorplans are not repeated within a Townhome Building, resulting in a building elevation that enhances the overall architectural character of the larger Townhome Building.

2. Building Materials: The Townhomes shall be comprised of any mix and combination of the following materials: brick, cast stone, stone, cultured stone, cement fiberboard, engineered wood siding (e.g., LP SmartSide), siding, glass, wood or vinyl soffits, and vinyl windows and/or equivalent or superior quality thereof for all the foregoing, except that vinyl and aluminum siding shall not be permitted.
3. Exterior Trim: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials, provided, however, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials; and provided further, that if windows have shutters, then such windows shall not require a trim wrap. Unless otherwise provided herein, windows shall have exterior trim on all four sides of each window. The minimum width of window trim boards shall be three and one-half (3½) inches wide.
- ~~4. Building Height: All homes in the Townhomes Area shall be regulated under the provisions of the UDO as a single story Dwelling Unit.~~
- ~~5.4.~~ Minimum Overhangs: All Buildings shall have a minimum of twelve (12) inch framed (measured from the frame prior to the installation of exterior siding materials) roof overhangs. Lesser overhangs shall be permitted for secondary roof areas such as, but not limited to, porches and bay windows.
- ~~6.5.~~ Roof Pitches: The minimum roof pitch for the main roof of a home shall be 8/12. Gable, dormer and porch roof pitches may vary to achieve various architectural styles.
- ~~7.6.~~ Shingles. All Buildings shall have dimensional or architectural grade shingles.
- ~~8.7.~~ Garages and Driveways. All homes shall have at least a 2-car attached garage and meet the following requirements:
 - i. All garage doors shall have decorative designs and options for window panels. Garage doors shall be of a color and style that is consistent with the architecture of the home. The exterior color palates for each home shall be selected and designed in a manner which de-emphasizes the location and placement of the garage door.
 - ii. Each garage shall include at least two (2) coach lights.
 - iii. Driveways shall be a minimum of sixteen (16) feet in width and shall be constructed of concrete, asphalt or pavers.

8.3 Article 6.5 Fence Standards: Shall apply, except as otherwise modified or enhanced below:

A. An eight (8) feet tall fence as specified in Section 8.4(C) of this Ordinance shall be permitted.

B. The standards set forth in Article 6.5(C)(4) of the UDO shall also apply to fencing surrounding outdoor pool facilities and pickleball facilities.

C. The provisions of Article 6.5(C)(3) shall not prevent the installation of fencing as specified in Section 8.4(C) of this Ordinance or the installation of fencing permitted under Section 8.3(B) of this Ordinance in an Established Front Yard.

8.4 Article 6.8 Landscaping Standards: Shall apply, except as otherwise modified or enhanced below:

A. Street Trees: Article 6.8(J) Street Trees shall only apply within the Courtyard Homes Area, as modified below:

1. One (1) street tree shall be required per Dwelling Unit lot, per frontage. Street trees shall be permitted to be located outside the public right-of-way within ten (10) feet of the right-of-way.
2. Along public rights of way adjacent to Common Areas, a minimum of one (1) street tree shall be provided per fifty (50) feet.

B. External Street Frontage: Article 6.8(M) External Street Frontage Landscaping Requirements shall not apply.

1. Townhomes Area. Within the area between the Townhome Buildings and the Towne Road right-of-way there shall be a thirty (30) foot buffer yard containing a minimum of one (1) shade or ornamental tree per thirty (30) feet and ten (10) shrubs and/or ornamental grasses per one hundred (100) feet of Towne Road right of way frontage. In addition to the buffer yard landscaping, a black four rail horse fence shall extend along the right of way.

C. Buffer Yard Landscaping. Article 6.8(N) Buffer Yard Requirements shall not apply. Instead, Buffer Yard landscaping shall be provided within a sixty (60) feet setback along the west property line. The buffer yard landscaping shall include a minimum of four (4) shade trees, four (4) evergreen trees and ten (10) shrubs per one hundred (100) lineal feet. In addition to the buffer yard landscaping, an eight (8) feet tall fence shall be installed from the existing fence on the west property line of the District, extending the length of the Courtyard Homes Area abutting the west property line of the District. Said fencing shall not be required along the portion of the west property line adjacent to a storm water detention pond.

Commented [MSS2]: The APC requested an exhibit illustrating the layers of landscaping, fencing and other improvements within the area between Towne Road and the front facades of the attached homes. This is in process.

D. Tree Preservation. Any trees within ten (10) feet of the west boundary of the District that are in good health and not otherwise required to be removed for environmental reasons, shall be preserved in accordance with Article 6.8, Landscaping Standards of the UDO. Existing trees in these areas shall not be disturbed by the Developer unless required by the City, or for drainage/utility installation.

E. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall not apply. Instead the following standards shall apply:

1. At a minimum, all Established Front Yards shall be sodded and the remainder of the Lot shall be seeded.
2. Townhome Buildings shall be landscaped with foundation landscaping to include at least four (4) shrubs and one (1) ~~+~~ shade, evergreen or ornamental tree per Dwelling Unit. Each Townhome Building located on a corner shall have one (1) additional shade tree in the yard adjacent to the side elevation of the Building.
3. Buildings in the Courtyard Homes Area shall be landscaped with at least ten (10) shrubs and one (1) ornamental tree per Dwelling Unit in each Front Yard. Each Building on a Corner Lot shall have one (1) additional Shade Tree in the Front Yard adjacent to the side elevation of the Building. Buildings abutting the pond area shall have an additional two (2) shade, evergreen or ornamental trees planted between the Building and the pond. Fenced courtyards shall be landscaped and may include artificial turf, decorative gravel and/or pavers as ground covering inside courtyard areas in lieu of lawn areas.

8.45 Sign Standards. Article 6.17 of the UDO shall apply within the District unless otherwise modified or enhanced in this Section. To the extent that the standards set forth in this Section conflict with the standards set forth in Article 6.17 of the UDO, the provisions of this Section shall prevail.

- A. One (1) Nonresidential Center Monument Sign, in compliance with the standards set for in Article 6.17(J)(2)(a)(ii), shall be permitted within the Health Hub Area. Such sign shall be located at least one hundred (100) feet away from the Townhomes Area.
- B. One (1) Nonresidential Center Monument Sign, in compliance with the standards set for in Article 6.17(J)(2)(a)(ii), shall be permitted within the Village Hub Area.
- C. One (1) Residential Monument Sign, in compliance with Article 6.17(G)(1), shall be permitted at the entrance of the Townhomes Area along Towne Road.

D. A maximum of one (1) Residential Sign, shall be permitted at each intersection in the Townhomes and Courtyard Homes Areas with the Boulevard Street. Signs shall be a double-sided hanging post sign with a masonry base. The height of each sign shall not exceed eight (8) feet (not including post) and shall not exceed twenty (20) square feet of area per sign face.

E. Wall Signs shall be permitted in accordance with Article 6.17(J)(5) of the UDO for Buildings in the Village Hub and Health Hub. For purposes of this Section, a Front Façade may be either a Building Façade possessing the primary entrance of a Building or a Building Façade facing an External Street (or frontage road thereto). Wall Signs shall not be internally illuminated. Any Wall Sign illumination shall consist of gooseneck down lighting or reverse channel letters (also known as halo-lit channel letters) with illumination behind their shape.

8.56 Parking and Loading Standards. Article 6.14 of the UDO shall apply within the District unless otherwise modified or enhanced in this Section. To the extent that the standards set forth in this Section conflict with the standards set forth in Article 6.14 of the UDO, the provisions of this Section shall prevail.

A. Article 6.14(G)(5) is hereby modified to permit up to 20% of all parking spaces required in the District to be a minimum of 8' wide and 18' deep to accommodate compact cars.

B. Parking Space requirements shall be determined by the Director based upon data supplied by the Applicant in response to traffic and parking data requested to be furnished with the application for a Detailed Development Plan.

~~B-C.~~ A Within the Townhomes Area, a minimum of one (1) additional visitor parking space per each four (4) Townhomes shall be provided in addition to the two (2) off-street spaces being provided in each driveway.

Section 9. Open Space and Amenity Standards. Article 8.6 shall not apply. Instead, the following amenities shall be provided:

Section 10. Infrastructure Standards. The District's infrastructure shall comply with the UDO and the City's Construction Standards (see Chapter 7 Subdivision Regulations) unless otherwise approved by the Department of Public Works.

Section 11. Severability. If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

Commented [MS3]: The APC requested that vehicular and pedestrian cross-access and increased connectivity be provided between the Village Hub and the Health Hub to create more of a "village" feel and provide better traffic flow. Revisions addressing this are in process. An update will be provided at the next APC meeting.

Commented [MS4]: The amenity package for the residential portion of the project is being finalized. Text will be added to supplement this section.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2023.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

James Edwards

James Edwards

James Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 23-24** was delivered to the Mayor of Westfield on the ____ day of _____, 2023, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 23-24**

this _____ day of _____, 2023.

I hereby VETO **ORDINANCE 23-24**

this _____ day of _____, 2023.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Matthew S. Skelton, Church Church Hittle + Antrim, Two North Ninth Street, Noblesville, Indiana 46074, (317) 773-2190.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Matthew S. Skelton.

EXHIBIT A

“Real Estate”

A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 03 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN HAMILTON COUNTY, INDIANA, BEING THAT TRACT OF LAND SHOWN ON THE PLAT OF SURVEY CERTIFIED BY TERRY D. WRIGHT, INDIANA REGISTERED PROFESSIONAL LAND SURVEYOR LS#9700013 ON APRIL 23, 2021 BY HAMILTON DESIGNS, LLC PROJECT NUMBER 2021-0106 (ALL REFERENCES TO MONUMENTS AND COURSES HEREIN AS SHOWN ON SAID PLAT OF SURVEY) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST 750.00 FEET ON AND ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THE FOLLOWING 11 CALLS FOLLOW THE NORTH LINE OF THE RIGHT OF WAY GRANT DESCRIBED IN INSTRUMENT # 2016013973 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY;

- 1) THENCE SOUTH 89 DEGREES 56 MINUTES 47 SECONDS WEST 50.58 FEET;
- 2) THENCE SOUTH 00 DEGREES 03 MINUTES 13 SECONDS EAST 45.85 FEET;
- 3) THENCE SOUTH 89 DEGREES 48 MINUTES 55 SECONDS WEST 5.39 FEET;
- 4) THENCE IN A SOUTHWESTERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 219.87 FEET, HAVING A CHORD BEARING OF SOUTH 44 DEGREES 56 MINUTES 18 SECONDS WEST AND A CHORD DISTANCE OF 311.07, HAVING A CENTRAL ANGLE OF 90 DEGREES 02 MINUTES 38 SECONDS AND AN ARC LENGTH OF 345.55;
- 5) THENCE SOUTH 03 DEGREES 06 MINUTES 12 SECONDS EAST 93.98 FEET;
- 6) THENCE IN A SOUTHWESTERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 145.10 FEET, HAVING A CHORD BEARING OF SOUTH 44 DEGREES 46 MINUTES 18 SECONDS WEST AND A CHORD DISTANCE OF 204.44, HAVING A CENTRAL ANGLE OF 89 DEGREES 34 MINUTES 20 SECONDS AND AN ARC LENGTH OF 226.84;
- 7) THENCE NORTH 88 DEGREES 35 MINUTES 56 SECONDS WEST 95.30 FEET;
- 8) THENCE NORTH 73 DEGREES 42 MINUTES 13 SECONDS WEST 52.20 FEET;
- 9) THENCE SOUTH 89 DEGREES 35 MINUTES 50 SECONDS WEST 75.00 FEET;

10) THENCE SOUTH 72 DEGREES 53 MINUTES 53 SECONDS WEST 52.20 FEET;

THENCE SOUTH 89 DEGREES 35 MINUTES 50 SECONDS WEST 409.99 FEET TO THE EAST LINE OF INSTRUMENT #200100027371 IN SAID RECORDERS OFFICE; THENCE NORTH 00 DEGREES 03 MINUTES 20 SECONDS WEST 985.64 FEET ALONG SAID EAST LINE; THENCE NORTH 89 DEGREES 30 MINUTES 46 SECONDS EAST 183.94 FEET TO THE SOUTHEAST CORNER OF INSTRUMENT #200200010702; THENCE NORTH 89 DEGREES 30 MINUTES 14 SECONDS EAST 396.72 FEET TO A SOUTHEASTERN CORNER OF INSTRUMENT #2021015916; THE FOLLOWING 4 CALLS FOLLOW AN EASTERN AND SOUTHERN LINE OF SAID INSTRUMENT;

11) THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST 141.35 FEET;

12) THENCE NORTH 27 DEGREES 18 MINUTES 29 SECONDS WEST 121.54 FEET;

13) THENCE NORTH 00 DEGREES 00 MINUTES 46 SECONDS WEST 146.55 FEET;

THENCE NORTH 89 DEGREES 33 MINUTES 30 SECONDS EAST 570.80 FEET TO THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS EAST 884.07 FEET ON AND ALONG SAID SECTION LINE TO THE POINT OF BEGINNING; CONTAINING 26.94 ACRES MORE OR LESS.

ALSO:

PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 3 EAST IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION BEING SOUTH 89 DEGREES 34 MINUTES 02 SECONDS WEST, (ASSUMED BEARING) 1094.71 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, PARALLEL WITH THE EAST LINE OF SAID QUARTER SECTION, 1238.09 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 02 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE 97.90 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, PARALLEL WITH SAID EAST LINE, 281.29 FEET; THENCE NORTH 89 DEGREES 33 MINUTES 36 SECONDS WEST, 299.12; THENCE NORTH 00 DEGREES 48 MINUTES 59 SECONDS EAST, 120.50 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 02 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE, 383.41 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, PARALLEL WITH SAID EAST LINE, 406.32 FEET; THENCE SOUTH 89 DEGREES 34 MINUTES 02 SECONDS WEST, PARALLEL WITH SAID SOUTH LINE, 86.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1.643 ACRES, MORE OR LESS.

ALSO:

PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 3 EAST IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 3 EAST, 1094.7 FEET SOUTH 89 DEGREES 34 MINUTES 02 SECONDS WEST (ASSUMED BEARING) FROM THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 34 MINUTES 02 SECONDS WEST ON SAID SOUTH LINE 250.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER 1328.80 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 02 SECONDS EAST PARALLEL WITH SAID SOUTH LINE 43.70 FEET TO A FENCE LINE; THENCE NORTH 01 DEGREES 29 MINUTES 33 SECONDS EAST ALONG SAID FENCE LINE 195.23 FEET TO A FENCE CORNER; THENCE SOUTH 89 DEGREES 33 MINUTES 36 SECONDS EAST ALONG AN EXISTING FENCE LINE AND PROLONGATION THEREOF 299.12 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS PARALLEL WITH SAID EAST LINE 281.29 FEET; THENCE SOUTH 89 DEGREES 34 MINUTES 02 SECONDS WEST PARALLEL WITH SAID SOUTH LINE 97.90 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS PARALLEL WITH SAID EAST LINE 1238.09 FEET TO THE PLACE OF BEGINNING, CONTAINING 9.166 ACRES, MORE OR LESS.

EXCEPT:

PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 3 EAST IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION BEING SOUTH 89 DEGREES 34 MINUTES 02 SECONDS WEST, (ASSUMED BEARING) 1263.46 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 89 DEGREES 34 MINUTES 02 SECONDS WEST, ALONG SAID SOUTH LINE 81.25 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, PARALLEL WITH THE EAST LINE OF SAID QUARTER SECTION, 1328.80 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 02 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE, 43.70 FEET; THENCE SOUTH 02 DEGREES 18 MINUTES 02 SECONDS WEST, 329.55 FEET; THENCE SOUTH 89 DEGREES 44 MINUTES 40 SECONDS EAST, 51.42 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 13 SECONDS WEST, 999.01 FEET TO THE POINT OF BEGINNING, AND CONTAINING 2.152 ACRES, MORE OR LESS.

EXHIBIT B
“Concept Plan”

EXHIBIT C
“Health Hub Character”

EXHIBIT D
“Village Hub Character”

EXHIBIT E
“Courtyard Homes Character”

EXHIBIT F
“Townhomes Character”